

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION**

**MERCED C. V.,**

**Plaintiff,**

**v.**

**KILOLO KIJAKAZI, Acting  
Commissioner of Social Security,**

**Defendant.**

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**EP-22-CV-00073-FM-LS**

**ORDER ADOPTING THE REPORT AND RECOMMENDATION OF THE  
MAGISTRATE JUDGE**

On this day, the Court considered the “Report and Recommendation of the Magistrate Judge” (“R & R”) filed in the above-captioned case by United States Magistrate Judge Leon Schydlower (“Judge Schydlower”) on July 28, 2023.<sup>1</sup> Therein, Judge Schydlower recommends that the District Court affirm the Acting Commissioner of the Social Security Administration’s (“Commissioner”) decision to deny Plaintiff Merced C. V.’s (“Plaintiff”) application for supplemental security income and disability insurance benefits.<sup>2</sup>

Because neither party objected to Judge Schydlower’s R & R, the court has reviewed it for clear error.<sup>3</sup> As the court finds no clear error, the R & R will be approved and adopted in full. Consistent with the R & R, the decision of the Commissioner in denying Plaintiff’s application for supplemental security income and disability insurance will be affirmed.

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<sup>1</sup> “Report and Recommendation of the Magistrate Judge” 1, ECF No. 18, entered July 28, 2023.

<sup>2</sup> *Id.*

<sup>3</sup> *Douglass v. United Servs. Auto. Ass’n*, 79 F.3d 1415, 1420 (5th Cir. 1996) (en banc), *superseded by statute on other grounds*, 28 U.S.C. § 636(b)(1).

Accordingly, it is **HEREBY ORDERED** that United States Magistrate Judge Leon Schydlower's "Report and Recommendation" [ECF No. 18] is **APPROVED** and **ADOPTED**.

It is **FUTHER ORDERED** that Commissioner's final decision is **AFFIRMED** in accordance with the Report and Recommendation.

**SIGNED AND ENTERED** this 21st day of **August 2023**.

A handwritten signature in black ink, appearing to read "Frank Montalvo", is written over a horizontal line.

**FRANK MONTALVO**  
**SENIOR UNITED STATES DISTRICT JUDGE**